AGENDA TITLE: Ordinance No. 1643 Entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Chapter 3.20 of the Lodi Municipal Code by Adding Thereto Section 3.20.130 Relating to Vehicle Purchases and Disposition Exemption"

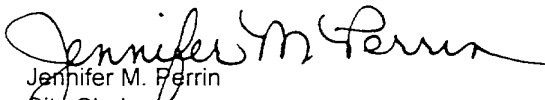**MEETING DATE:** April 2, 1997

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1643.

BACKGROUND INFORMATION: Ordinance No. 1643 entitled, "An Ordinance Of The City Council Of The City Of Lodi Amending Chapter 3.20 of the Lodi Municipal Code by Adding Thereto Section 3.20.130 Relating to Vehicle Purchases and Disposition Exemption" was introduced at the regular City Council meeting of March 19, 1997.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.
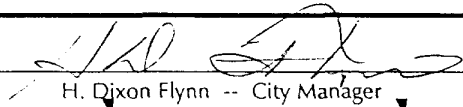
This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.

Jennifer M. Perrin
City Clerk

Attachment

APPROVED: _____
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1643

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING CHAPTER 3.20 OF THE LODI MUNICIPAL CODE
BY ADDING THERETO SECTION 3.20.130, RELATING TO
VEHICLE PURCHASES AND DISPOSITION EXEMPTION

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Chapter 3.20 - Purchasing System - is hereby amended by adding thereto a new Section 3.20.130, relating to Vehicle Purchases and Disposition Exemption to read as follows:

Section 3.20.130 - Vehicle Purchases and Disposition Exemption:

The purchase and disposition of vehicles and certain equipment shall be exempt from this chapter. Such vehicles and equipment shall instead be purchased and disposed of pursuant to the Fleet Management Policy as adopted by resolution by the City Council from time to time. For purposes of this section only, the term "vehicles and equipment" shall be defined as including those items of personal property, the purchase and disposal of which, is governed by the Fleet Management Policy as adopted by resolution of the City Council from time to time.

SECTION 2 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 2nd day of April, 1997

_____
PHILLIP A. PENNINO
Mayor

Attest:

JENNIFER M. PERRIN
City Clerk
===
State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1643 was introduced at a regular meeting of the City Council of the City of Lodi held March 19, 1997, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held April 2, 1997 by the following vote:

   Ayes: Council Members -

   Noes;   Council Members -

   Absent: Council Members -

   Abstain: Council Members -

I further certify that Ordinance No. 1643 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

          JENNIFER M. PERRIN
          City Clerk

Approved as to Form:

RANDALL A. HAYS
City Attorney